

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-142-T - ORDER NO. 2009-332

MAY 19, 2009

IN RE:	Petition of the Office of Regulatory Staff for)	ORDER REVOKING
	Commission to Order a Rule to Show Cause)	CERTIFICATES
	as to Why the Certificates of Public)	
	Convenience and Necessity for Certain Class)	
	E Motor Carriers Should Not Be Revoked for)	
	Failure to File Gross Receipts)	

This matter comes before the Public Service Commission of South Carolina (“the Commission”) by way of the Petition of the Office of Regulatory Staff (“ORS”) to revoke Certificates of Public Convenience and Necessity of certain Class E motor carriers for failure to file gross receipts forms which were due August 31, 2008. ORS's Petition was filed with the Commission on March 31, 2009. As set forth in S.C. Code Ann. §58-23-10, et seq. (Supp. 2008), the Commission is responsible for the regulation of motor vehicle carriers operating for compensation and pursuant to S.C. Code Ann. §58-4-10, et seq., the ORS is charged with the duty to protect the public interest.

The ORS developed a list of the motor carriers that failed to file gross receipts forms with ORS and such list was attached as Exhibit A to ORS's Petition and entered into the record at the hearing in this matter before the Commission on May 13, 2009, as Hearing Exhibit 1. At the hearing on this matter, ORS additionally filed a Revised Exhibit A, entered into the record as Hearing Exhibit 2, advising the Commission that

several companies listed on the original Exhibit A to its Petition had come into compliance and requested dismissal of this action against those companies.

On April 1, 2009, the Commission issued a Notice of Hearing, setting this matter for hearing on May 13, 2009, at 2:45 p.m. A formal hearing regarding this matter was held at the Commission offices on Wednesday, May 13, 2009, at 2:45 p.m. ORS was represented by Nanette S. Edwards, Esquire. Dawn M. Hipp, the Director of Transportation, testified for ORS.

At the hearing, Ms. Hipp presented testimony that as of the date of the filing of the ORS Petition in this matter that the 10 certificated motor carriers listed in Exhibit A of the ORS Petition in this matter had failed to file gross receipts forms with ORS. Pursuant to S.C. Code Ann. §§ 58-3-100, 58-3-540, 58-4-60, and 58-9-370, the public utilities subject to the Commission's jurisdiction are assessed by the Department of Revenue based on amounts that are certified by the Commission, the Review Committee and ORS. At the hearing Ms. Hipp testified that six of the carriers listed on ORS Exhibit A had subsequently come into compliance. The ORS submitted a Revised Exhibit A (Hearing Exhibit 2) listing four carriers from Exhibit A (Hearing Exhibit 1) to the ORS Petition in this matter which remained out of compliance at the time of the hearing. Additionally, the ORS stated in its Petition, and Ms. Hipp testified, that the ORS notified the companies of their failure to file gross receipts forms.

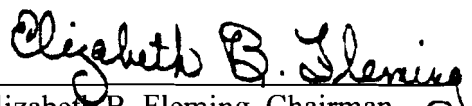
The Commission finds that the Petition should be dismissed as to the carriers who have complied and filed a completed gross receipts form as of the date of the hearing in this matter. The Commission is also of the opinion, and so finds, that the Certificates of

Public Convenience and Necessity held by the carriers which are the subject of this petition (attached as an Appendix to this Order and labeled "Hearing Exhibit 2") should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and the South Carolina Vehicle Carrier Law.


IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by the four motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.
2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.
3. That this Petition be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.
4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)

Carriers in Compliance as of 05/13/2009

Docket No. 2009-142-T
Order No. 2009-332
May 19, 2009

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Date Certified	Docket Number	Order Number	Secretary of State Standing	Status
1	Christopher Collins	dba C & C Moving & Transporting Co.	Class E - HHG	4654 Spruill Avenue	North Charleston	SC	29405	1/9/1992	1991-028-T	1991-805	Not Registered	Received 04/15/09
2	Easy Movers, Inc.		Class E - HHG	11021-C Downs Road	Pineville	NC	28134	2/5/2003	2002-319-T	2003-49	Good Standing	Received 04/15/09
3	Samuel Redding	dba Redding Moving Systems	Class E - HHG	677 S. Jeffords St.	Florence	SC	29506	4/17/1997	1997-74-T	1997-316	Not Registered	Received 04/30/09
4	Sea Island Bonded Storage, Inc.		Class E - HHG	PO Box 829	Beaufort	SC	29901	9/13/1985	1985-318-T	85-718	Good Standing	Received 04/20/09
5	Sellers Transfer, LLC		Class E - HHG	PO Box 71103	Charleston	SC	29415	5/16/2008	2007-392-T	2008-233	Good Standing	Received 05/07/09
6	Units Mobile Transport, Inc.		Class E - HHG	PO Box 80788	Charleston	SC	29416	1/5/2006	2005-184-T	2005-651	Good Standing	Received 04/13/09

In Compliance



Carriers out of Compliance as of 05/13/2009

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Date Certified	Docket Number	Order Number	Secretary of State Standing	Status
1	Blue Star International Moving & Storage, LP		Class E - HHG	1523 Antioch Church Road	Greenville	SC	29605	7/11/2007	2006-96-T	2006-693	Dissolved 01/27/2009	Mail Returned 04/09/09
2	Hilton Head Moving & Storage, Inc.		Class E - HHG	18 Buckingham Plantation Drive	Bluffton	SC	29910	4/9/1998	1997-245-T	98-256	Good Standing	No Response
3	J.S. McClary	dba McLine Transportation	Class E - HHG	182 Kingsbury Place	Georgetown	SC	29440	12/30/1983	1983-303-T	1983-846	Merged	No Response
4	Tri-State Motor Transit Co.		Class E - Haz	PO Box 113	Joplin	MO	68401	10/29/1991	1991-327-T	1991-912	Not Registered	No Response